

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
vs.) Case No. 09-00043-01-CR-W-GAF
)
ELVON L. ARNDT,)
)
Defendant.)

ORDER

Now pending before the Court is Defendant's Motion to Suppress (Doc. #16). On May 29, 2009, United States Magistrate Judge John T. Maughmer conducted an evidentiary hearing on Defendant's motion. On January 1, 2010, Judge Maughmer issued his Report and Recommendation (Doc. #40). On January 12, 2010, Defendant's Motion to Reconsider Court's Report and Recommendation was filed (Doc. #43).

Upon careful and independent review of the pending motion and suggestions in support thereof, defendant's objections to the Magistrate's Report and Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge John T. Maughmer.

Accordingly, it is hereby ORDERED that Defendant's Motion to Suppress (Doc. #16) is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner

Gary A. Fenner, Judge
United States District Court

DATED: January 28, 2010